

REMARKS

Claims 1-20 are pending in this application. By this Amendment, claim 1 is amended and claims 19 and 20 are added. Support for the amendment to claim 1 and new claims 19 and 20 can be found, for example, in Figs. 1A-1C and 3-7 and the associated description. No new matter is added.

The Office Action rejects claims 1-18 under 35 U.S.C. §103(a) over Sugiyama et al. (U.S. Patent No. 7,175,613) and Yasushi et al. (JP 10-295723). Applicants respectfully traverse the rejection.

Claim 1 recites "an absorber containing a super absorbent polymer, capable of absorbing a body fluid, the absorber being disposed above an upper side of the first leak preventer and extending from the front part of a leak preventer to a rear part of the second leak preventer and beneath the second leak preventer in at least one layer," and "a rear part of the absorber beneath the second leak preventer is for absorbing only the body fluid received on a front part of the absorber not beneath the second leak preventer, and the rear part of the absorber beneath the second leak preventer is not for receiving the feces." The applied references fail to disclose, or to have rendered obvious, the above quoted features of claim 1 for at least the following reasons.

In Sugiyama's Fig. 7, a rear part of the fixed absorber 14 which is beneath top sheet 16 (alleged second leak preventer) will absorb body fluid and receive feces. Additionally, one of ordinary skill in the art would not interpret Sugiyama's absorber 28 (which allegedly corresponds to Applicants' absorber) as extending to a rear part of top sheet 16. Sugiyama's absorber 28 stops near a front portion of Sugiyama's top sheet 16.

In Yasushi, the absorber 10 extends from a front part of back sheet 9 to the vicinity of a front end of feces receiving sheet 5. Thus, Yasushi fails to disclose, and would not have rendered obvious, the absorber being disposed above an upper side of the first leak preventer

and extending from the front part of the first leak preventer to a rear part of the second leak preventer as recited in claim 1.

Additionally, the present invention has advantages that are neither disclosed, nor suggested, in the applied references. The absorbent article of the present invention is capable of separating urine and feces efficiently (see page 5, lines 7-9 of the originally filed specification). On the other hand, in Sugiyama, urine and feces are likely to mix. Also, the absorbent article in the present invention has high urine absorption capacity (see page 5, lines 7-9 of the originally filed specification) since the absorber extends from the front part of the first leak preventer to a rear part of the second leak preventer. On the other hand, Yasushi's diaper does not have high urine absorption capacity since the absorber 10 extends from a part of the backsheet 9 to a vicinity of the front end of the feces receiving sheet 5.

Claims 2-18 are patentable by reason of their dependency from independent claim 1, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

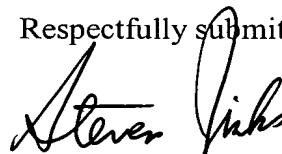
New claims 19 and 20 are also patentable. In rejecting claim 1, the Office Action alleges that Sugiyama's spaces between top sheet 16 and back sheet, and between absorber 21 and U-shaped cut 20 correspond to the hollow space recited in claim 1 and similarly recited in claim 19. However, Sugiyama's Fig. 7 discloses a feces separator opening 17. Therefore, Sugiyama discloses that the body fluid flowing to the space between absorber 21 and U-shaped cut 20 can leak to the upper side of top sheet 16 based on a user's body position. Thus, Sugiyama does not disclose that the second leak preventer protects against leak of body fluid from the flow passage to an upper side of the second leak preventer, as recited in claim 19.

Claim 20 is patentable at least by its dependency from independent claim 19, as well as for the additional features it recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

Date: August 16, 2010

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